
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2782

Southern California Office

320 West 4th Street, Suite 500
Los Angeles, CA 90013
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Online Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar **Friday, November 8, 2002**

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification of Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/Arbitrator's Reports/
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications

Resolution ALJ 176-3099 regarding ratification of preliminary determinations of category and notice of assignment is included in this calendar.



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

REGULAR COMMISSION BUSINESS MEETINGS

November 21, 2002	10 am	San Francisco
December 5, 2002	10 am	San Francisco
December 19, 2002	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

November 18, 2002	1:30 pm	San Francisco
December 2, 2002	1:30 pm	San Francisco
December 16, 2002	1:30 pm	San Francisco

NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074
FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above. Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

Joint Sub-Committee Meeting of the Low Income Oversight Board (LIOB) and the Universal Lifeline Telephone Service Administrative Committee On Outreach Synergies

November 14, 2002
11 am – 4 pm

National University
Spectrum Academic Center
9388 Lightwave Avenue
San Diego

The Low Income Oversight Board and the Universal Lifeline Telephone Service Administrative Committee are meeting jointly to facilitate public input on coordinating customer outreach between the California Alternate Rate for Energy Program (CARE) and the Universal Lifeline Telephone Service Program. This notice is being served on the service list in rulemaking R.01-08-027, and rulemaking R.98-09-005, will be posted on the Commission's websites, and will be sent to the service lists electronically.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. This location is wheelchair accessible, and the meeting is open to the public. For more information, please contact Terrie Tannehill (415) 703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Kathleen Robles at 619/563-7280. Public parking is available in the lot adjoining the university.

Public Participation Meeting – Coordinating Outreach for CARE and ULTS

November 14, 2002
7 pm – 9 pm

Courtyard Marriott
Kearny Mesa
8651 Spectrum Center Boulevard
San Diego

The Low Income Oversight Board and the Universal Lifeline Telephone Service Administrative Committee will hold a public input meeting on coordinating customer outreach between the California Alternate Rate for Energy Program (CARE) and the Universal Lifeline Telephone Service (ULTS) Program. This notice is being served on the service list in rulemaking R.01-08-027, and rulemaking R.98-09-005, will be posted on the Commission's websites, and will be sent to the service lists electronically.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. This location is wheelchair accessible, and the meeting is open to the public. For more information, please contact Terrie Tannehill (415) 703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Kathleen Robles at 619/563-7280. Public parking is available in the lot adjoining the university.

Public Meeting Notice – Deaf and Disabled Telecommunications Program

California Relay Service Advisory Committee
(CRSAC)

November 14, 2002

2 pm – 8 pm

The Ontario Double Tree Hotel
222 North Vineyard Avenue
Ontario

The CRSAC of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

PUBLIC MEETING AGENDA

I. Routine Business, A. Introductions, B. Agenda Modifications and Approval, C. Public Input – Morning Session, D. Review of Minutes of the Previous Meeting, E. Action Items, F. CRS Report, 1. Data Report – Sprint, 2. Data Report – WorldCom, 3. Speech-to-Speech Report, G. Executive Director's Report, H. CRS Contract Manager's Report, I. DDTP Staff Reports, 1. Consumer Affairs Report, 2. Field Operations, 3. Marketing and Outreach, II. Public Input – 6 PM, III. Outreach Expenditures Report (Chair), IV. Update on Web Cam Trial Program (Chair), III. Video Technology Demonstration (Chair), V. CRSAC Representative to DDTPAC (Chair), VI. Report from CRSAC Representative to DDTPAC (Chair), VII. Member Reports (Chair), VIII. Future Meetings and Locations (Chair), IX. Adjournment

Meeting Information: For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Meeting Notice – ULTS Administrative Committee

The October 29, 2002 meeting is
continued to

November 15, 2002

9:30 am - 12:30 pm

Kearny Mesa Courtyard by Marriott
8651 Spectrum Center Blvd, Mesa Room
San Diego

Teleconference is available at 877-780-7587 and
participant passcode of 242672#.

Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee will meet on this day to discuss:

Introduction

Review and Approval of Minutes

Proposed Subcommittee Report on LIOB

Liaison Staff Report

Self-Certification and Random-Verification

Marketing Program Report

i Interim Marketing Program

ii Call Center

iii Permanent Marketing Program

Administrative Report

i Status of TD staff support

ii Financial Report – monthly report

iii Board Membership Nomination

iv Fones4All's Petition to Modify D.00-10-028/R.98-09-005
v Insurance
vi ULTS Strategic Plan
vii Decision/Resolution or Bills
Contracts Status Report
i Valdez Report and Contract
ii Richard Heath & Associates – Interim Marketing and Contract
iii Richard Heath & Associates – Call Center and Contract
Audit Contract Status
i Compliance Audit
ii Surcharge Remittance Audit
iii Claim Audit
iv Financial Audit
Announcement
Member Recommended Agenda Items Request
New & Old Business
Set Future Meeting Dates and Times
Public Comments
Contact: Angela Young at 415-703-2837 or ayy@cpuc.ca.gov.

Public Meeting - Low Income Oversight Board (LIOB)

*November 15, 2002
10 am – 3:30 pm*

*Courtyard Marriott – Kearny Mesa
8651 Spectrum Center Boulevard
San Diego*

The Low Income Oversight Board (LIOB) will meet to discuss, review, and/or decide the following: Pending CPUC orders and potential LIOB comments on any draft orders; sub-committee report on CARE and ULTS outreach synergies; draft reports on coordinated outreach for the California Alternate Rates for Energy (CARE)/Universal Lifeline Telephone Service (ULTS) programs; minutes from a prior LIOB meeting; recent Commission rulings; and utility back billing. This is an open meeting, and the public is invited to attend. This location is wheelchair accessible.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. For more information, please contact Terrie Tannehill at 415-703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Connie Mutter at 858/654-1231. Public parking is available in the lot adjoining the hotel.

**NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))**

Pursuant to Public Utilities Code § 399.8, directs Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company, to collect monies from customers to fund investments in energy efficiency, renewable energy and research development, and demonstration projects.

A draft resolution of the Energy Division as Public Utilities (PU) Code § 399.8 requires the three major California investor owned electric utilities to assess a Public Goods Charge (PGC) to customers in order to fund certain public interest programs. It specifies that, starting January 1, 2002, \$425.5 million be provided to these programs each year until January 1, 2012. However, § 399.8 does not specify how much of this annual total is to be allocated among the utilities except for the Energy Efficiency (EE) programs.

Opening comments are due on November 4, 2002 and reply comments are due on November 12, 2002. Both opening and reply comments are limited to five pages. Copies of the resolution can be obtained by contacting:

Jack Fulcher
Electric Industry & Finance Branch
California Public Utilities Commission
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
Telephone: (415) 703-1711

Draft Resolution M-4807 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of utilities reimbursement account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4807 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 2 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 28 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4805 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Rate Fund fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4805 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4806 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Reimbursement Account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4806 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution Affirming Denial of Public Records Act Requests of John E. Rosenbaum on Behalf of Mirant Americas Energy Marketing, LP, et al., and of Jose Guzman on Behalf of Duke Energy Corporation.

A draft resolution (L-302) by the Legal Division denying the Public Records Act requests of John E. Rosenbaum, Esq., of White & Case on behalf of his client, Mirant Americas Energy Marketing, LP, *et al*, and by Jose E. Guzman, Jr., Esq., of Nossaman, Guthner, Knox & Elliot on behalf of his client, Duke Energy Corporation, regarding the Commission staff's inspections of Mirant and Duke facilities, will be on the December 5, 2002 Commission meeting agenda. The

Commission may vote on this resolution at that time, or it may postpone a vote until later. When the Commission votes on L-302, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare a different resolution.

The draft resolution will be circulated to the parties submitting the Public Records Act requests that are the subject of the draft resolution, pursuant to Public Utilities Code Section 311(g) and Rule 77.7 of the Commission's Rules of Practice and Procedure.

Interested parties may obtain a copy of L-302 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

Laurence G. Chaset
Legal Division
California Public Utilities Commission
505 Van Ness Avenue, Room 5131
San Francisco, CA 94102
Telephone: (415) 355-5595
lau@cpuc.ca.gov

An original and 2 copies of comments must be received by the Legal Division no later than November 25, 2001. Comments shall focus on factual, legal or technical error in the draft resolution. Late filed comments will ordinarily be rejected. However, in extraordinary circumstances, a request for leave to submit comments late, together with the proposed comments, may be filed. An accompanying declaration under penalty of perjury shall also be submitted setting forth all the reasons for the late submission.

NEW FILINGS

10/30/02	C02-10-043	ECP - John A. Davis vs. AT&T for an order that for the period from November 15, 2001 through the date of termination of service there be an adjustment to the billing interval minimum to 30 seconds and for the period from January 1, 2002 through termination of service, a removal of the \$9.95 surcharge and refund of all funds on deposit.
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PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

11/4/02	A00-11-038	Southern California Edison Company, for authority to institute a rate stabilization plan with a rate increase and end of rate freeze tariffs.
	A00-11-056	Pacific Gas and Electric Company, for emergency application to adopt a rate stabilization plan.
	A00-10-028	The Utility Reform Network, for modification of

**Resolution E-3527; Application for Rehearing of
Decision 02-10-063 by Southern California Edison
Company**

11/6/02	R01-09-001	Order instituting rulemaking on the Commission's own motion to assess and revise the new Regulatory Framework for Pacific Bell and Verizon California Incorporated.
	I01-09-002	Order instituting investigation on the Commission's own motion to assess and revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated; Application for Rehearing of D02-10-020 by Verizon California, Inc.

**DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING
OFFICER'S DECISION * ARBITRATOR'S REPORTS**

11/7/2002	R01-12-009	Order Instituting Rulemaking on the Commission's Own Motion to Evaluate Existing Practices and Policies for Processing Offset Rate Increases and Balancing Accounts in the Water Industry to Decide Whether New Processes are Needed; Alternate Draft Decision of Commissioner Lynch.
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ADVICE LETTER FILINGS

NONE

**MISCELLANEOUS TRANSPORTATION ITEMS
Filings with Consumer Protection and Safety Division**

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

Date Filed Subject

November 8, 2002 California High-Cost Fund-A Administrative Committee Fund: Notice of

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- filing of payment letter(s) for payments to be made on November 20, 2002. Protests or comments may be submitted. All protests and comments must be filed by 12:00 PM on or before November 15, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at:
<http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm> or contact Hassan Mirza at (415) 703-1638.
- November 8, 2002 The California High-Cost Fund-B Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on November 20, 2002. Protests or comments may be submitted. All protests and comments must be filed by 12:00 PM on or before November 15, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at:
<http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm> or contact Hassan Mirza at (415) 703-1638.
- November 8, 2002 The California Teleconnect Fund Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on November 20, 2002. Protests or comments may be submitted. All protests and comments must be filed by 12:00 PM on or before November 15, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at:
<http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm>, or you may contact Robert Weissman at (415) 703-1989.
- November 8, 2002 The Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on November 20, 2002. Program payments to carriers are subject to ULTS surcharge remitted on or before November 12, 2002; therefore, these proposed payment letters may be revised for final payments. Protests or comments may be submitted. All protests and comments must be filed by 12:00 PM on or before November 15, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at:
<http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm> or contact Hassan Mirza at (415) 703-1638.
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TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

11/4/02 A.02-03-016 Galvin - Application of Southern California Edison

Company (U 338-E) for Approval of Fuel Hedging
Cost recovery.

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

- Correction to the Daily Calendar of 11/7/02**
- R.93-04-003 Reed - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks, and
- I.93-04-002 Reed – Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, and
- R.95-05-043 Reed – Order Instituting Rulemaking on the Commission's Own Motion Into Competition for Local Exchange Service, and
- I.95-05-044 Reed – Order Instituting Investigation on the Commission's Own Motion Into Competition for Local Exchange Service,
Prehearing Conference held and concluded
- I.01-04-026 Jones - Order Instituting Investigation into the Revenue Requirement of Roseville Telephone Company Pursuant to Decision 00-11-039,
Evidentiary Hearing held and submitted upon the receipt of Reply Briefs due 1/31/03
- A.02-07-047 Rosenthal – Application of Phuong Transportation, Inc., for authority to operate as a passenger stage corporation between points in Pomona, Westminster, San Gabriel, San Jose, and Oakland, and to establish a Zone of Rate Freedom,
TELEPHONIC Prehearing Conference held and concluded

I.02-06-003	Vieth - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, Evidentiary Hearing originally set for December 9 – 10 and December 12 – 23, 2002 reset to March 17 – 27, 2003
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REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

11/18/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco
11/19/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco
11/26/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA
12/3/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco

12/10/02	10:00 a.m.	(WS – Working Group 2) - Order Instituting
ALJ Carew	R.02-06-001	Rulemaking on policies and practices for advanced
Comr Peevey		metering, demand response, and dynamic pricing,
		Commission Courtroom, San Francisco
12/18/02	1:00 p.m.	(ECP) - John A. Davis, Complainant, vs. AT&T
ALJ Patrick	C.02-10-043	Communications of California, Inc., Defendant,
		Stockton State Office Building
		31 East Channel Street, Room A10
		Stockton, CA

LAW AND MOTION

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

11/18/02	10:00 a.m.	NONE SCHEDULED
11/25/02	10:00 a.m.	NONE SCHEDULED
12/2/02	10:00 a.m.	NONE SCHEDULED

FINAL ORAL ARGUMENTS (FOA)

NONE

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference	(WS) = Workshop
(EH) = Evidentiary Hearing	(FPH) = Full Panel Hearing
(PPH) = Public Participation Hearing	(AH) = Arbitration Hearing
(IAM) = Initial Arbitration Meeting	(CA) = Closing Argument
(M) = Mediation	(LM) = Law & Motion
(ECP) = Expedited Complaint Procedure	(OA) = Oral Argument

(OSC) = Order to Show Cause

11/8/02 ALJ Evans Comr Duque	10:00 a.m. A.02-07-021	<p>(PHC) – In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, Commission Courtroom, San Francisco</p>
11/12/02 ALJ Galvin Comr Peevey	10:00 a.m. A.02-03-046	<p>(EH) – In the Matter of the Application of Apple Valley Ranchos Water Company (U 346 W) for Authority to Increase Rates (as authorized by NOI 02-03-017): In 2003 of \$2,775,000 or 27.1% above revenues generated by present rates, in 2004 of \$497,839 or 3.8% above the revenues generated by the rates proposed for 2003, in 2005 of \$507,422 or 3.7% above the 2004 revenue requirements, Commission Courtroom, San Francisco (also November 13 – 15 as needed)</p>
11/12/02 ALJ Wetzell Comr Wood	10:00 a.m. A.02-05-004	<p>(EH) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and</p>
	I.02-06-002	<p>(EH) - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, Commission Courtroom, San Francisco (also November 13 – 15; November 18 – 22; November 25 – 27; December 2 – 6; December 9 – 13; December 16 – 20; December 23 – 24, 26 – 27; December 30 – 31, January 2 – 3; January 6 – 10; January 13 – 17; and January 21 – 24)</p>

11/12/02	10:00 a.m.	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA
ALJ Carew	R.02-06-001	
Comr Peevey		
11/13/02	10:00 a.m.	(PHC) – In the Matter of the Application of BLUE & GOLD FLEET, L.P. FOR AN order Authorizing the Discontinuance of Alameda/Oakland Passenger Vessel Service Upon completion of its Contractual Agreement to Provide such Service, Commission Courtroom, San Francisco
ALJ DeBerry	A.02-09-015	
Comr Peevey		
11/15/02	10:00 a.m.	(PHC) - Order Instituting Investigation into the Operations and Practices of Verizon (formerly GTE California Incorporated) with respect to its Individual Case Basis Contracts, Commission Courtroom, San Francisco
ALJ McVicar	I.02-04-027	
Comr Peevey		
11/18/02	10:00 a.m.	(PPH and PHC) – Application of Union Pacific Railroad Company for an Order Declaring and Adjudicating the Legal Status of the Cal Poly Crossing at Milepost 246.9 in the City of San Luis Obispo and County of San Luis Obispo, State of California, the Necessity for Keeping the Crossing Open, and the Need For Safety Improvements and Apportionment Of Costs, Church of Jesus Christ Latter-day Saints 651 Foothill Blvd San Luis Obispo, CA
ALJ Rosenthal	A.02-08-006	
Comr Duque		
11/18/02	10:00 a.m.	(WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco
ALJ Carew	R.02-06-001	
Comr Peevey		
11/19/02	10:00 a.m.	(PHC) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, Commission Courtroom, San Francisco
ALJ Bemdesderfer	A.02-07-050	
Comr Peevey		

11/19/02 ALJ Walker Comr Brown	10:00 a.m. C.02-07-008	(PHC) – Teltrex Management Corporation, Complainant, vs. Pacific Bell, Defendant, Commission Courtroom, San Francisco
11/19/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco
11/20/02 ALJ McVicar Comr Wood	1:30 p.m. A.02-09-030	(PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and
	A.02-09-031	(PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and
	A.02-09-032	(PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and
	A.02-09-033	(PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year 2005, Commission Courtroom, San Francisco
11/20/02 ALJ Jones Comr Brown	2:00 p.m. and 7:00 p.m. C.02-06-010	(PPH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA

11/21/02 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-02-018	(EH) - Application of THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY for an order closing Avenue 13, CPUC Crossing No. 2- 1016.3, D.O.T. No. 028-603-E, at its intersection with Applicant's main track Madera County, California, Commission Courtroom, San Francisco (also November 22)
11/21/02 ALJ Jones Comr Brown	10:00 a.m. C.02-06-010	(EH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA
11/22/02 ALJ Barnett	12:00 p.m. C.02-09-041	(ECP) – Rex H. Kilgore for Hock-It-To-Doc, Inc. vs. Allegiance Telecom of California, Inc., Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/22/02 ALJ Barnett	1:00 p.m. C.02-10-002	(ECP) – Howard Kavoussi, complainant, vs. Southern California Edison Company, defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/22/02 ALJ Barnett	1:30 p.m. C.02-08-031	(ECP) – Herbert B. and Maunaloa T. Avery vs. Southern California Gas Company, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/25/02 ALJ Simon Comr Brown	10:00 a.m. C.02-06-037	(EH) - Saul Martinez, Complainant, vs. Southern California Edison Company, Defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/26/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA

12/3/02	9:00 a.m.	(WS) - Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
ALJ Duda	A.01-02-024	
Comr Wood		
	A.01-02-035	(WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-031	(WS) – Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-032	(WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-034	(WS) – Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and

	A.02-03-002	(WS) – Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, Commission Courtroom, San Francisco (also December 4 - 5 at Hiram Johnson State Building, 455 Golden Gate Avenue, San Francisco)
12/3/02 ALJ Walker Comr Peevey	10:00 a.m. A.02-05-033	(EH) - In the matter of the Application of Suburban Water Systems (U 339-W) for authority to increase rates: In 2003 \$9,919,002, or 27.2% above the revenues generated by present rates, in 2004 \$1,447,692 or 3.1% above the revenues generated by the rates proposed for 2003, in 2005 \$1,597,008 or 3.3% above the 2004 revenue requirements, Commission Courtroom, State Office Building 320 West 4th Street, Suite 500 Los Angeles, CA (also December 4 - 6)
12/3/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco
12/3/02 ALJ Patrick	1:00 p.m. C.02-10-026	(ECP) – Jerome T. Pasto, Complainant, vs. Pacific Bell, Defendant, Employment Development Department 722 Capitol Mall, Room 4079 Sacramento, CA
12/4/02 ALJ Carew Comr Peevey	2:00 p.m. R.02-06-001	(WS – Working Group 1) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco
12/9/02 ALJ Maloney Comr Duque	9:00 a.m. C.02-05-035	(EH) - Breuer, Inc., Complainant, vs. Del Oro Water Company, Inc., Defendant, Commission Courtroom, San Francisco (also December 10 and December 12)

12/10/02	10:00 a.m.	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco
ALJ Carew	R.02-06-001	
Comr Peevey		
12/12/02	10:00 a.m.	(EH) - In the Matter of the Application of the CITY OF RICHMOND for an order preserving the wigwag warning devices at the Richmond Avenue Crossing in the City of Richmond, Contra Costa County, California, Commission Courtroom, San Francisco (also December 13)
ALJ Simon	A.02-05-065	
Comr Peevey		
12/17/02	1:30 p.m.	(PHC) - The Utility Consumers' Action Network (UCAN), Complainant, vs. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, Commission Courtroom, San Francisco
ALJ Walker	C.02-07-044	
Comr Brown		
12/18/02	9:30 a.m.	(EH) - Investigation on the Commission's Own Motion Into the Operations, Practices, Rates and Charges of Hillview Water Company, Inc., a corporation, and Roger L. Forrester, the principal shareholder and president, Respondents, Oakhurst Community Center 39800 Road 425B Oakhurst, CA (also December 19)
ALJ Ryerson	I.97-07-018	
Comr Peevey		
12/18/02	1:00 p.m.	(ECP) - John A. Davis, Complainant, vs. AT&T Communications of California, Inc., Defendant, Stockton State Office Building 31 East Channel Street, Room A10 Stockton, CA
ALJ Patrick	C.02-10-043	
1/14/03	9:00 a.m.	(EH) - Application of Bakman Water Company (U 219 W) for Authority to: (1) Remove the Proceeds of Water Contamination Lawsuits From Contributions-In-Aid-of Construction, (2) Increase Rate Base, and (3) Recover Increased Revenue Requirements in Rates, Commission Courtroom, San Francisco (also January 15)
ALJ Econome	A.02-07-025	
Comr Duque		

1/15/03 ALJ Sullivan Comr Brown	10:00 a.m. A.02-05-034	(EH) – Application of Gary Wayne Shurtliff to Obtain a Household Goods Carrier Permit Pursuant to the Household Goods Carrier Act, contained in Division 2, Chapter 7 of the California Public Utilities Code (sections 5101 et. Seq.), Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
1/17/03 ALJ Simon Comr Peevey	11:00 a.m. C.02-07-038	(EH) – Daniel A. Stock, Complainant, vs. Southern California Edison Company, Defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
1/27/03 ALJ Bushey Comr Brown	10:00 a.m. A.01-09-012	(EH) - In the Matter of the Application of the City of San Diego for an order authorizing modification of an existing at-grade crossing on three light rail vehicle tracks and one heavy rail track of the Metropolitan Transit Development Board, and one heavy rail track of the Burlington Northern and Santa Fe Railway Company, at Park Boulevard, in the City of San Diego, San Diego County, California, Commission Courtroom, San Francisco (also January 28 – 31)
1/28/03 ALJ Simon Comr Wood	10:00 a.m. C.02-07-020	(EH) - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, The Delano City Hall Council Chambers 1015 11th Avenue Delano, CA (also January 29 – 31)
2/13/03 ALJ DeBerry Comr Peevey	10:00 a.m. A.02-04-001	(EH) - In the Matter of the Application of Southern California Water Company for a Certificate of Public Convenience and Necessity Pursuant to Public Utilities Code Section 1001 to Construct an 8.4 MW Natural Gas-Fueled Generator Facility in its Bear Valley Electric Service Division, Commission Courtroom, San Francisco (also February 14)

2/25/03	10:00 a.m.	(EH) - In the Matter of the Application of SIERRA
ALJ Barnett	A.01-06-041	PACIFIC POWER COMPANY (U-903-E) for an
Comr Lynch		Order Authorizing an Immediate Interim Rate Increase,
		Subject to Refund, and for Consideration of a Rate
		Stabilization Plan,
		Commission Courtroom, San Francisco
		(also February 26 – 28)
3/3/03	10:00 a.m.	(EH) - Joint Application of AT&T Communications of
ALJ Duda	A.01-02-024	California, Inc. (U 5002 C) and WorldCom, Inc. for the
Comr Wood		Commission to Reexamine the Recurring Costs and
		Prices of Unbundled Switching in Its First Annual
		Review of Unbundled Network Element Costs
		Pursuant to Ordering Paragraph 11 of
		D.99-11-050, and
	A.01-02-035	(EH) - Application of AT&T Communications of
		California, Inc. (U 5002 C) and WorldCom, Inc. for the
		Commission to Reexamine the Recurring Costs and
		Prices of Unbundled Loops in Its First Annual Review
		of Unbundled Network Element Costs Pursuant to
		Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-031	(EH) - Application of The Telephone Connection
		Local Services, LLC (U 5522 C) for the Commission to
		Reexamine the Recurring Costs and Prices of the DS-3
		Entrance Facility Without Equipment in Its Second
		Annual Review of Unbundled Network Element Costs
		Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-032	(EH) - Application of AT&T Communications of
		California, Inc. (U 5002 C) and WorldCom, Inc. for the
		Commission to Reexamine the Recurring Costs and
		Prices of Unbundled Interoffice Transmission Facilities
		and Signaling Networks and Call-Related Databases in
		Its Second Annual Review of Unbundled Network
		Element Costs Pursuant to Ordering Paragraph 11 of
		D.99-11-050, and
	A.02-02-034	(EH) - Application of Pacific Bell Telephone Company
		(U 1001 C) for the Commission to Reexamine the
		Costs and Prices of the Expanded Interconnection
		Service Cross-Connect Network Element in the Second
		Annual Review of Unbundled Network Element Costs
		Pursuant to Ordering Paragraph 11 of D.99-11-050, and

	A.02-03-002	(EH) - Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, Commission Courtroom, San Francisco (also March 4 - 7)
3/10/03 ALJ Wong Comr Lynch	10:00 a.m. A.01-10-011	(EH) - Application of Pacific Gas and Electric Company Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016. (U 39 G), Commission Courtroom, San Francisco (also March 11 - 14 and March 17 - 19 if needed at 9:00 a.m.)
3/17/03 ALJ Vieth Comr Wood	9:00 a.m. I.02-06-003	(EH) - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, Commission Courtroom, San Francisco (also March 18 - 21 and March 24 - 27)
3/24/03 ALJ Kenney Comr Lynch	10:00 a.m. R.01-09-001	(EH) - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, and
	I.01-09-002	(EH) - Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, Commission Courtroom, San Francisco (also March 25 - 28, April 1 - 4, and April 7 - 8 at 9:00 a.m.)

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

All-Party Meeting – A01-03-036

November 8, 2002
10 am –11 am

California Public Utilities Commission
505 Van Ness Avenue, Conference Room 5305
San Francisco

There will be an All-Party meeting with Commissioner Henry M. Duque and Laura Krannawitter, Advisor to Commissioner Duque, to discuss ALJ Michelle Cooke's Proposed Decision on the Valley-Rainbow 500 KV Interconnection Project. All parties are invited to meet with Commissioner Duque on this matter. No individual meetings will be granted. All participants must provide Commissioner Duque's office with the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Mary Lou Tousey at (415) 703-2593 or e-mail her at mlt@cpuc.ca.gov NO LATER than the end of business on Thursday, November 7, 2002, so that there is adequate time to advise the Commissioner's office of the attendees.

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

10/21/02 R01-10-024 Order Instituting Rulemaking to Establish Policies and
Cost Recovery Mechanisms for Generation
Procurement and Renewable Resource Development

Summary: On October 16, 2002, Bill Stock, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Cmmr. Brown and Cmmr. Duque in two separate meetings in San Francisco. Stock stated that ALJ's proposed decision (PD) to be consistent with AB 57 and SB 1078 must be changed to establish a regulatory

framework that supports PG&E's return to investment grade credit ratings. Stock also suggested that the PD's contracting requirements and tests, which will choke-off critical avenues for power procurement must be eliminated. Stock also stated that the PD's language must be changed to limit reasonableness review for the utilities' power procurement contracts only to the scope allowed in AB 57. Stock noted that the alternate contains some of the same problems as the PD. Stock also stated that the 15% reserve margin requirement in the alternate should not be adopted. Stock also explained that the 5% spot procurement guideline in the alternate should be clarified to establish that '5%' is relative to total annual demand while 'spot market' includes both hour-ahead and day-ahead procurement. Stock further suggested that the AD should provide that an incentive program is an option available to the utilities if they request it.

Filer: Pacific Gas and Electric Company

Contact: Michelle Brown

Phone: (415) 972-5611

email: mtt3@pge.com

Summary: On October 16, 2002, Bill Stock, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Robert Kinosian, advisor to Pres. Lynch, in San Francisco. Stock stated that ALJ's proposed decision (PD) to be consistent with AB 57 and SB 1078 must be changed to establish a regulatory framework that supports PG&E's return to investment grade credit ratings. Stock also suggested that the PD's language must be changed to limit reasonableness review for the utilities' power procurement contracts only to the scope allowed in AB 57. Stock noted that the alternate contains some of the same problems as the PD.

Filer: Pacific Gas and Electric Company

Contact: Michelle Brown

Phone: (415) 972-5611

email: mtt3@pge.com

10/22/02	A00-10-045	San Diego Gas and Electric Company, for an order implementing Assembly Bill 265.
	A01-01-044	San Diego Gas & Electric Company, for Authority to Implement an Electric Rate Surcharge to Manage the Balance in the Energy Rate Ceiling Revenue Shortfall Account.

Summary: On October 15, 2002, Steve Linsey, supervisor, Office of Ratepayer Advocates (ORA), met with Cmmr. Brown in an all-party meeting in San Francisco. Also present were David Gamson and Peter Hanson, advisors to Cmmr. Brown, Steve Weissman and Bill Julian, advisors to Cmmr. Wood, Laura Krannawitter, advisor to Cmmr. Duque, Kevin Coughlan and Peter Arth, advisors to Cmmr. Peevey, Sara Myers, Fritz Orlieb and William Monsen for the City of San Diego, Norm Furuta for Federal Executive Agencies, Michael Shames for Utility Consumer Action Network, and Jeff Parrott, Leslie Katz, William Reed and Lee Schavrien for San Diego Gas & Electric Company. Linsey stated that the alternate of Cmmr. Peevey failed to meet the standards the Commission applied to settlements, among various other failings. Linsey noted that typically a finding of public interest was predicated on the breath of support, and no consumer group supported the settlement. Linsey stated that the alternate's claim that it is consistent with law is declaratory. Linsey explained that there is no dispute that the

contract revenues are utility-owned or managed generation assets, yet the alternate would deprive ratepayers of a substantial portion of said revenues with no stated legal basis.

Filer: Office of Ratepayer Advocates – Linsey

Contact: Steve Linsey

Phone: (415) 703-1341

email: s.linsey@cpuc.ca.gov

10/22/02 A01-09-045 Joint Application of Lodi Gas Storage, L.L.C., Western Hub Properties, L.L.C., and WHP Acquisition Company, LLC; to Transfer Control of Lodi Gas Storage, L.L.C., to WHP Acquisition Company, LLC, which will occur Indirectly as a Result of the Purchase of Western Hub Properties L.L.C. by WHP Acquisition Company, LLC, pursuant to Public Utilities Code Section 854(a) and of Lodi Gas Storage, L.L.C. for Approval of a Secured Long-Term Financing pursuant to Public Utilities Code Sections 816, 817, 818, 823, and 851

Summary: On October 17, 2002, Tom Dill, President of Lodi Gas Storage, L.L.C. and Western Hub Properties, L.L.C., met with Aaron Johnson, advisor to Pres. Lynch, and Lynne McGhee, advisor to Cmmr. Duque, in two separate meetings in San Francisco. Written material (attached to the notice) was used. Dill stated that the Joint Applicants were negotiating a revised transaction. Dill described the revised transaction as much simplified compared to the original transaction. Dill asked that the Commission review and approve the amendment as quickly as possible.

Filer: Lodi Gas Storage, L.L.C., Western Hub Properties, L.L.C., and WHP Acquisition Company, LLC

Contact: Christopher A. Hilén

Phone: (415) 951-1100

email: chilen@llgm.com

10/22/02 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development

Summary: On October 17, 2002, Joseph Karp of White & Case LLP, attorney for IMC Chemicals, Inc. (IMC), had three separate telephone contacts with Lynne McGhee, advisor to Cmmr. Duque, Julie Fitch, advisor to Cmmr. Peevey, and Belinda Gatti, advisor to Cmmr. Brown. Karp stated that Southern California Edison Company (Edison) is asking IMC to sign a Revised Standard Offer 1 form contract that would require IMC to arrange for its own interconnection, scheduling and metering services. Karp stated that IMC plans to file a motion to require Edison to maintain interconnection with IMC and to purchase power from IMC at the short-run avoided cost prices.

Filer: IMC Chemicals, Inc.

Contact: Joseph Karp

Phone: (415) 544-1100

email: jkarp@whitecase.com

10/23/02 A02-08-005 Pacific Gas and Electric Company, for an Order Approving the Settlement Agreement between Pacific Gas and Electric Company (U 39-E), Sierra Pacific Industries and the California Independent System Operator.

Summary: ***THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON OCTOBER 17, 2002 AND APPEARED IN THE CALENDAR OF October 30, 2002.*** On October 11, 2002, Steve Linsey, supervisor, Office of Ratepayer Advocates (ORA), met with Steve Weissman, advisor to Cmmr. Wood, in San Francisco. Written material was distributed; however, the document was returned, unread, and has been withdrawn. Linsey explained ORA's opposition to the draft decision. Linsey explained that Pacific Gas and Electric Company (PG&E) had made no showing that damages stemming from the breach of contract claim of Sierra Pacific Industries would in fact be ratepayer liability. Linsey argued that recovery of 8 million in above-market costs associated with the resolution of the breach of contract claim should not be approved until such time as PG&E made a showing that ratepayers would in fact bear those expenses.

Filer: Office of Ratepayer Advocates – Linsey

Contact: Annie Schwanki

Phone: (415) 703-1990

10/29/02 A01-03-036 San Diego Gas & Electric Company, for a Certificate of Public Convenience and Necessity for the Valley-Rainbow 500 KV Interconnect Project

Summary: On October 28, 2002, Mark Mihaly, an attorney for Save Southwest Riverside County (SSRC), met with Lynne McGhee, advisor to Cmmr. Duque, in San Francisco. Also present were Belinda Gatti, advisor to Cmmr. Brown, Kevin Coughlan, advisor to Cmmr. Peevey, Steven Weissman, advisor to Cmmr. Wood, and Osa Armi, an attorney for SSRC, Tilden Kim, an attorney for the City of Temecula, Don Clary, an attorney for the Pechanga Development Corporation, Wayne Schmus, expert transmission consultant, and Roberto Ponte, an SSRC board member. Written material (attached to the notice) was used. Mihaly explained that in order to ensure that San Diego Gas & Electric Company (SDG&E) engages in comprehensive integrated resource planning, the Commission should dismiss the application at this phase of the proceeding. Mihaly indicated that although some transmission projects might be justified on economic grounds, the Valley-Rainbow Interconnect Project (Project) is not such a project. Schmus stated that if the Project were built, it would not produce any additional energy for the State, but rather only give SDG&E the 'opportunity' to buy additional power. Kim, Clary and Ponte described the strong local opposition to the Project.

Filer: Save Southwest Riverside County, City of Temecula, and Pechanga Development Corporation

Contact: Osa Armi

Phone: (415) 552-7272

**RESOLUTION REGARDING RATIFICATION OF PRELIMINARY
DETERMINATIONS OF CATEGORY**

For purposes of Rule 63.2(c), notice of the assignment is the day the assignments associated with this preliminary categorization document appear in the Daily Calendar following the Commission business meeting.

11/7/02 ALJ 176-3099 Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. (See also Rule 63.2(c) regarding notice of assignment.)
Adopted. The preliminary determination schedule is shown below.

PRELIMINARY DETERMINATION SCHEDULES

Resolution ALJ 176-3099 (11/7/02)

ASSIGNMENTS

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
A02-10-020 CYTELA COMMUNICATIONS, INC., for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza
A02-10-021 ARIZONA TELEPHONE BROKERS, L.L.C., for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza
A02-10-022 360NETWORKS (USA) INC., for authorization to transfer	Ratesetting	Ratesetting	NO	Brown	Evans

control of public utility operations in California.					
A02-10-023 LEADING EDGE BROADBAND SERVICES, LLC, for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza
A02-10-024 ONESTAR LONG DISTANCE, INC., for a certificate of public convenience and necessity to operate as a provider of limited facilities-based local exchange telecommunications service.	Ratesetting	Ratesetting	NO	Peevey	Bemesderfer
A02-10-025 SAN BERNARDINO ASSOCIATED GOVERNMENTS, in cooperation with the cities of Colton and San Bernardino for an Order authorizing construction of a grade separation structure between Hunts Lane and the tracks of the Union Pacific Railroad in the City of Colton and the City of San Bernardino, San Bernardino County, California [PUC Crossing No.541.00].	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-10-027 NATIONAL VIDEOPHONE SERVICES, INC., for a certificate of public convenience and necessity to provide interLATA and	Ratesetting	Ratesetting	NO	Peevey	Bemesderfer

IntraLATA videoconferencing services, advanced data services and competitive local exchange services as a facility-based carrier and reseller.					
A02-10-028 PARVIZ KARMOZD, Application for Approval of the Transfer by Sale of the operating authority held in Passenger Stage Certificate No.11097 by Parviz Karmozd (Seller) to Payma Management System, LLC (Buyer), pursuant to the provisions of California Public Utilities Code Section 851 et seq.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-10-029 SOUTHERN CALIFORNIA EDISON COMPANY, (U 338-E) for Authority to lease communication Facility Sites and Antenna Equipment Locations to Los Angeles SMSA Limited Partnership, Oxnard- Ventura-Simi Limited Partnership and GTE Mobilnet of Santa Barbara Limited Partnership, individually and collectively doing business as Verizon Wireless.	Ratesetting	Ratesetting	NO	Brown	Prestidge
A02-10-030 SAN DIEGO GAS & ELECTRIC COMPANY, (U 902- M) for Approval of Power Purchase Agreement with CP Kelco, U.S., Inc.	Ratesetting	Ratesetting	YES	Wood	Barnett

A02-10-031 PACIFICORP, (U 901-E) for Exemption from the Requirements of California Public Utilities Code Section 851.	Ratesetting	Ratesetting	YES	Peevey	Minkin
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A02-10-032 MOHAMMAD YOONOS, dba DISCOUNT SHUTTLE, for authority to operate as an on-call Passenger Stage Corporation to transport passenger and their baggage between points and places in the Counties of San Bernardino, Riverside, Orange and Los Angeles, on the one hand, and the Los Angeles International Airport (LAX), Long Beach Airport (LGB), Burbank Airport (BUR), Ontario International Airport (ONT), and John Wayne Airport (SNA), on the other hand; and to establish a Zone of Rate Freedom.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
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A02-10-033 FAWAD ALI AND OMAR TARZI, dba TRRIFTY EXPRESS AIRPORT SHUTTLE, V. TRAVELER, INC., dba THRIFTY EXPRESS AIRPORT SHUTTLE, for Approval of the Transfer of Passenger Stage Certificate No.15006 without consideration from Fawad Ali and Omar Tarzi dba Thrifty Express Airport Shuttle (Transferor) to V. Traveler, Inc., a California corporation,	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
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dba Thrifty Express Airport Shuttle (Transferee).					
A02-10-034 CITY OF MARTINEZ, for authority to install and maintain a pilot project of automatic horn systems at two public crossings over Union Pacific Railroad Company's tracks at Ferry Street and Berrellesa Street in the City of Martinez.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-10-036 XO CALIFORNIA, INC., XO LONG DISTANCE SERVICES, INC., pursuant to Public Utilities Code Section 854 for Approval of the Indirect Transfer of Control of XO California, Inc. (U 5553-C) and XO Long Distance Services, Inc. (U 6272-C) from XO Communications, Inc., Debtor-in-Possession, to a reorganized XO Communications, Inc., controlled by High River Limited Partnership	Ratesetting	Ratesetting	NO	Brown	Grau
A02-10-037 LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY, for an order authorizing the construction of a two track at-grade Public Pedestrian Crossing for light rail transit at MP 12.09 South of the Del Mar Station in the City of Pasadena, County of Los Angeles, California.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark

A02-10-038 CITY OF EL SEGUNDO, for an order authorizing construction of Douglas Street across the right of way and beneath the existing aerial structure of the Los Angeles County Metropolitan Transportation Authority Light Rail Metro Green Line at its mile post T-2.2 and beneath the Harbor Branch track of the Burlington Northern Santa Fe Railway at Harbor Branch Mile Post 15.1.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
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A02-10-039 FALAHI, FARROKH REZA, dba SEA BREEZE SHUTTLE, KARGARAN, JAFAR, dba PRIME RIDE SHUTTLE, KOHL, KEVIN AND ASSOCIATES LLC, dba SEA BREEZE SHUTTLE, for Approval of the Transfer by Sale of the Operating Authority held in Passenger Stage Certificate PSC-9524 by Jafar Kargaran and Farrokh Reza Falahi, dba Prime Ride Shuttle, and dba Sea Breeze Shuttle, to Kevin Kohl and Associates LLC, dba Sea Breeze Shuttle, pursuant to the provisions of Public Utilities Code Sections 851 et seq.	Adjudicatory	Ratesetting	NO	Not Assigned	Examiner Clark
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A02-10-040 SAN DIEGO GAS & ELECTRIC COMPANY, to modify and extend permanent gas procurement performance-based	Ratesetting	Ratesetting	YES	Peevey	Halligan
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ratemaking mechanism.					
A02-10-042 SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY, requesting a variance from CPUC General Order No.26-D requirement on side clearance at the Laguna Niguel/Mission Viejo Metrolink Station located on the Orange Subdivision at railroad mile post 193.00 in the City of Laguna Niguel, County of Orange, California.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-11-001 GREGORY J. PHELPS, dba MOUNTAIN EXPRESS, to establish a Zone of Rate Freedom of plus \$15.00/minus \$4.00 from his current tariff rates, pursuant to the provisions of Section 454.2 of the California Public Utilities Code.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-11-002 DIAL WORLDWIDE COMMUNICATIONS, INC., for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza
A02-11-003 DHAMI, KUNDAN SINGH, dba SENIORS AIRPORTER SHUTTLE, to establish a Zone of Rate Freedom from its current tariff rates pursuant to the provisions of Section	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark

454.2 of the Public Utilities Code.					
A02-11-004 CITY OF RIVERSIDE, for authority to install and maintain Stationary Horn Warning Systems at six (6) public crossings over Union Pacific Railroad Company's mainline, Streeter Avenue, Palm Avenue, Brockton Avenue, Magnolia Avenue, Riverside Avenue and Panorama Road, City of Riverside, as a pilot project as permitted by SB 1491 for the purpose of testing the utility and safety of stationary automated warning devices.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A02-11-005 LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY, authorizing the construction of two light rail transit tracks at-grade Pasadena Water and Power Private Crossing South of Glenarm Street MP 11.09 in the City of Pasadena, County of Los Angeles, California.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark